REMARKS

The Office Action of June 30, 2006, 2006, has been carefully reviewed, and in view of the above amendments and the following remarks, reconsideration and allowance of the pending claims are respectfully requested.

In the above Office Action, claims 1 and 11-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Huston et al.* (U.S. Patent No. 3,407,027) in view of *Hennebert et al.* (U.S. Patent No. 4,764,351). Claims 2, 5, 6 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Huston et al.* '027 in view of *Hennebert et al.* '351 and further in view of *Spence* (U.S. Patent No. 4,919,888). Claims 3, 4, 7-9 and 16-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Huston et al.* '027 in view of *Hennebert et al.*'351 and *Spence* '888 and further in view of *Quehl* (U.S. Patent No. 4,165,404). Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Huston et al.* '027 in view of *Hennebert et al.* '351, *Spence* '888 and *Quehl* '404 and further in view of *Leimbacher et al.* (U.S. Patent No. 5,837,181). Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentablel over *Huston et al.* '027 in view of *Hennebert et al.* '351, and further in view of *Huston et al.* (U.S. Patent No. 5,894,014).

Claim 1 as amended above is directed to a sterilisation chamber for use in an autoclave device. The sterilisation chamber is releasably fastened within the sterilization device by releasably connecting the front planar wall surface and the rear planar wall surface directly to the housing of the autoclave device. An interior of the sterilisation chamber is pressurized during the sterilisation process so as to define a sealed pressure chamber and the sterilisation chamber defines a self-supported structure manufactured essentially from a polymeric material having

natural heat isolating properties so as to reduce the risk of burning to a person touching the housing of the autoclave device.

The primary reference upon which the Examiner relies, *Huston*, discloses an autoclave having a double walled construction wherein the outer shell is made of a low cost structurally strong material such as plain structural steel and the inner shell is made of a high corrosion resistant material such as a one-fourth inch nickel clad inner shell. Thus, the autoclave of *Huston* is still a traditional autoclave made of metal. Moreover, as nickel has a high heat conductivity (as compared to iron), the nickel clad inner shell clearly does not have any natural heat isolating properties that would reduce the risk of burning to a person touching the housing of the autoclave device, as recited in claim 1.

The Examiner appears to recognize that *Huston* does not teach the construction of a sterilization chamber from a polymeric material, but takes the position that "it is known in the art to form chambers from either stainless steel or plastics." Applicants respectfully traverse this statement as a matter of scientific notice. Applicants contend that the use of plastic chambers within autoclave devices, where autoclave sterilization is defined in the art as a heat sterilization wherein the temperature is at least 120 C, and preferably 134 C, is not known in the art prior to the present invention.

Still further, the Examiner recognizes that *Huston* fails to teach a chamber manufactured essentially from a polymeric material and relies upon *Hennebert* for this teaching. As the Examiner's position is best understood, Applicants concur that *Hennebert* does disclose the use of a plastic material to form a sterilization chamber in certain limited conditions. These conditions, however, require that the sterilization

chamber be used in formaldehyde gas sterilization. Formaldehyde sterilization or ethylene oxide are used when objects to be sterilized cannot be subjected to "elevated temperatures in conventional heat sterilization methods." Col. 1, lines 14-23. In particular, at col. 5, line 22, *Hennebert* discloses an embodiment wherein the chamber is made of a plastic material under the requirement of sub-atmospheric pressure and the temperature is preferably about 60 C., i.e., low temperature. Hence, *Hennebert* specifically teaches away from the use of its plastic sterilization chamber in a conventional high temperature autoclave apparatus.

Thus, if modified as the Examiner suggests, if the sterilization chamber of *Huston* were constructed of the plastics material taught in *Hennebert*, there is no teaching or suggestion that the chamber would be able to withstand the sterilization pressures to be exerted thereon. The Federal Circuit has held that if a "proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). As such, Applicants submit that there is no motivation to combine the teachings of *Hennebert* with the traditional autoclave of *Huston* to make the modification proposed by the Examiner.

As a final matter, the Examiner concludes that merely the inclusion of a thermostat in *Hennebert* necessarily implies the presence of a display, as recited in claim 1. Applicants respectfully submit that a thermostat may be pre-set at a pre-set value by the factory manufacturing the autoclave and thus not have an actual display. Claim 1 of *Hennebert* recites "means for providing constant temperature

control of the chamber." Thus, Applicants contend that *Hennebert* does not disclose a display per se.

CONCLUSION

In view of the above amendments and remarks, Applicants respectfully submit that the claims of the present application are now in condition for allowance, and an early indication of the same is earnestly solicited.

However, if after consideration of the above the Examiner does not believe the application is in condition for allowance, Applicants renew their request for a personal interview prior to the issuance of any further official action.

Respectfully submitted,

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